

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAMON GONZALEZ and FRANCISOC
RAMOS, individually and on behalf of himself
and all others similarly situated who were
employed by COMPARE FOODS d/b/a
COMPARE FOODS SUPERMARKETS,
Plaintiffs,

v.

IRVING FOOD CORP., and other related
entities d/b/a COMPARE FOOD
SUPERMARKETS,
Defendants.
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ORDER

16 CV 7255 (VB)

On April 11, 2018, the parties in this Fair Labor Standards Act case filed a joint application for approval of their settlement agreement, consisting of a detailed letter explaining the agreement, and attaching the proposed settlement agreement itself, for approval by the Court, as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015). (Doc. #43).

The Court has considered the following factors: (i) the parties' position as to the proper valuation of plaintiffs' claims; (ii) the risks and costs of continuing to litigate; (iii) that plaintiffs are represented by counsel; (iv) that the release of claims is tailored to wage and hour claims arising before the filing of the settlement agreement; and (v) that the settlement amounts to "more than a 100% recovery for each Plaintiff of their unpaid wages" in addition to attorney's fees. (Doc. #43 at 2).

The Court finds that the settlement is fair and reasonable, and the product of arm's-length negotiation, not fraud or collusion. Moreover, the Court finds the attorney's fees to be fair and reasonable under the circumstances.

Accordingly, the parties' settlement agreement (Doc. #43-1) is hereby APPROVED.

It is hereby ORDERED that this action is dismissed.

The Clerk is instructed to close this case.

Dated: April 16, 2018
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge